THE HON'BLE SRI JUSTICE C.V. RAMULU

Friday, 29th September, 2006

W.P.No.3535 of 2002

Between:

Devarapalli David … Petitioner

and

The District Collector,
Krishna, Machilipatnam
and another … Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.3535 of 2002

ORAL ORDER:

Heard both sides.

It appears that without conducting any enquiry as to the irregularities, if any, committed by the petitioner or without suspension or cancellation of authorization, the impugned Proceeding dated 7-1-2002 was issued by the 2nd respondent-Mandal Revenue Officer, Pamarru stating that the petitioner did not attend 'Janmabhoomi programme' when asked for to attend and the villagers have complained that the petitioner was giving less kerosene (in measurement) and also not supplying the kerosene properly and the District Collector directed him to cancel his licence and make alternative arrangements.

There is no necessity of going into all the details. It is suffice to notice that no notice of any kind or any charge sheet or suspension order was issued to the petitioner before passing the impugned Order. Therefore, the impugned Order suffers from gross violation of principles of natural justice, apart from the procedure as prescribed under the law. As such, the impugned Order is liable to be set aside and is accordingly set aside.

The Writ Petition is, therefore, allowed and the petitioner shall be supplied with kerosene as usual. No order as to costs.

29-9-2006

prk